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09/707,883	11/08/2000	Naohiko Matsuda	PM272992	1379

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EXAMINER

ROSSI, JESSICA

ART UNIT

PAPER NUMBER

1733

DATE MAILED: 07/22/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/707,883

Applicant(s)

MATSUDA ET AL.

Examiner

Jessica L. Rossi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/10/03 and 6/16/03, Amd. D and E.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,11 and 13-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,11 and 13-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/294,713.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☒ Other: Translation of JP 6-293322.

DETAILED ACTION

Response to Amendment

1. This action is in response to the amendments dated 6/10/03 and 6/16/03. Claim 12 was cancelled. Claim 15 was added. Claims 1-3, 11, and 13-15 are pending.

2. The rejection of claims 1 and 11 under 35 U.S.C. 102(b) as being anticipated by Ozawa et al. (JP '322; of record), as set forth in paragraph 9 of the previous office action, has been withdrawn due to the addition of the limitations from claim 12.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 15 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 15, the present specification does not have support for the theta axis being a yaw axis perpendicular to a rolling axis of the attaching roller.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Regarding claim 15, it is unclear what is meant by a “the theta axis is a yaw axis perpendicular to a rolling axis of the attaching roller.” Applicants are asked to clarify.

Claim Rejections - 35 USC § 103

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 1 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asakura et al. (US 5781288) in view of Wreede (US 5519516), Cappa et al. (US 4832785), the collective teachings of Umebayahsi et al. (JP 3-93528; abstract only) and Mikata et al. (JP 3-257044; abstract only), Ozawa et al. (JP 6-29332; of record; written translation), and Scholz et al. (US 6270871).

With respect to claim 1, Asakura is concerned with inspecting the location of a hologram film attached to a vehicle windshield (abstract). The reference teaches contacting the hologram film 1 to a curved portion of the windshield 2 by **hand or** by using an **automated** transfer system 9 (Figure 6; column 1, lines 60-61; column 5, line 44; column 12, lines 10-15; column 9, lines 1-5 and 10-12 and 21-22 and 30-31; column 11, lines 50-52). The hologram is attached to the windshield using an adhesive tape that is not depicted in the Figures (column 5, lines 51-53).

The reference is silent as to the hologram having an adhesive surface and a non-adhesive surface, disposing the hologram on a support body with the adhesive surface contacting the support body, rolling an attaching roller having an adhesive strength on the non-adhesive surface of the hologram to transfer the same thereto, and rolling the roller on the curved portion of the windshield to transfer the hologram thereto.

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It is known in the art to attach a hologram 15 to a vehicle windshield by means of a pressure sensitive adhesive tape 23 that is already joined to the hologram, wherein a release liner 25 (support body) is removed to expose the adhesive prior to attachment, as taught by Wreede (Figure 1; column 1, line 64; column 4, lines 24-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the adhesive tape of Asakura be a pressure sensitive adhesive (PSA) already joined to the hologram such that a release liner (support body) is removed to expose the adhesive prior to attaching the hologram to the windshield because such is known in the art, as taught by Wreede, and this allows the hologram and adhesive to be applied in a single step with the added benefit of being able to store the hologram/adhesive laminate until it is needed in the manufacturing process due to the protection provided by the release liner.

It is known to apply a film to a curved glass panel V by pressing the film onto the glass using a roller 12 so as to eliminate air between the film and glass, as taught by Cappa (Figure 2; column 3, lines 34-45). Furthermore, it is known in the hologram art to apply the hologram to a flat glass panel by pressing the same onto the glass using a roller so as to eliminate air between the hologram and glass, as taught by the collective teachings of Umebayashi (Figure 1; abstract) and Mikata (Figures 2 and 4; abstract). Therefore, since the skilled artisan reading the Asakura reference as a whole would have appreciated that the hologram application method is not critical to the invention (can be automated or manual), it would have been obvious at the time the invention was made to use a roller to press the hologram onto the curved portion of the windshield of Asakura because such is known in the curved glass and hologram art, as taught by

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Cappa and the collective teachings of Umebyashi and Mikata, and this would eliminate air between the hologram and windshield thereby allowing for better bonding between the same.

It is known to continuously remove a plurality of labels 20 having PSA on one surface thereof from a continuous strip of release liner 22 by rolling an attaching roller 12, which has an adhesive strength, on the non-adhesive surface of the labels and transferring each label to an article being transported on a conveyor belt, as taught by Ozawa (Figures 1-2; [0006]). The reference teaches the adhesive strength between the adhesive surface of the label and the release liner being less than that between the non-adhesive surface of the label and the roller, which is less than that between the adhesive surface of the label and the article ([0007]). The reference uses an adhesive roller for removing the labels from the release liner and transferring them to an article so as to achieve good peeling of the label from the release liner and accurate bonding of the label to the article – something the prior art peeling techniques were unable to achieve ([0010]).

It is also known to provide a plurality of hologram/PSA adhesive laminates 142 on a continuous strip of release liner 144 so that the laminates can be continuously removed from the liner and attached to contoured-shaped articles, as taught by Scholz (Figure 12; column 1, lines 15 and 20-22; column 3, lines 22-23; column 5, lines 50-58; column 13, lines 15-16; column 17, line 65; column 18, line 5 and 29; column 21, lines 23-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to peel the hologram/PSA adhesive laminates of Asakura in view of Wreede from a continuous strip of release liner, as taught by Scholz, and transfer each to a curved portion of a windshield of Asakura using a roller having adhesive strength because such is known, as

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taught by Ozawa, where this would allow for a continuous process characterized by good peeling of the hologram from the release liner and accurate bonding of the hologram to the windshield while also eliminating air between the same.

With respect to claim 11, Ozawa teaches moving the roller along the Y-axis to a position and rotating the roller along the surface of the article (Figures 2 and 5; [0007]).

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Asakura et al., Wreede, Cappa et al., the collective teachings of Umebayahsi et al. and Mikata et al., Ozawa et al., and Scholz et al. as applied to claim 1 above, and further in view of Lindstrom (US 4321103; of record), as set forth in paragraph 12 of the previous office action.

Regarding claim 2, Asakura in view of Wreede and Scholz is silent as to these limitations. It is known in the art to transport a label on a surface-treated conveyor belt with the adhesive surface of the label contacting the belt so that the label can be easily removed from the conveyor and attached to an article, as taught by Lindstrom (column 2, lines 45-50).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to transport the hologram of Asakura on a surface-treated conveyor belt with its adhesive surface in contact with the conveyor because such is known in the art, as taught by Lindstrom, and this would eliminate the need for the release paper without sacrificing easy transfer of the hologram from the conveyor to the attaching roller.

10. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Asakura et al., Wreede, Cappa et al., the collective teachings of Umebayahsi et al. and Mikata et al., Ozawa et al., Scholz et al., and Lindstrom as applied to claim 2 above, and further in view of Adachi (US 4468274; of record), as set forth in paragraph 13 of the previous office action.

Regarding claim 3, Asakura is silent as to cutting the holograms from a roll. It would have been obvious to one of ordinary skill in the art at the time the invention was made to cut the holograms of Asakura from a roll before placing them on the conveyor because such is known in the art, as taught by Adachi (Figure 2), and this allows the roll to be stored and continuously supplied throughout the process.

11. Claims 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asakura et al., Wreede, Cappa et al., the collective teachings of Umebayahsi et al. and Mikata et al., Ozawa et al., and Scholz et al. as applied to claims 1 and 11 above, and further in view of the collective teachings of Horai et al. (US 5714028; of record), Urban et al. (US 6080250; of record), and Matuda et al. (US 4725327; of record), as set forth in paragraph 14 of the previous office action.

Regarding claim 13, Ozawa teaches the attaching roller being moved by multi-axis equipment 28 (Figure 1), but is silent as to the equipment being a hand portion of a multi-axis robot. It is known in the art to apply labels to objects by moving the label into contact with the object and pressing it thereto or by just pressing the already-applied label against the object using a mechanism, not limited to a roller, that is manipulated by a hand portion of a multi-axis robot, as taught by the collective teachings of Horai (Figures 1 and 6), Urban (Figure 1; column 4, lines 8-10), and Matuda (Figure 1; column 1, lines 8-10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a hand portion of a multi-axis robot to move the attaching roller of Ozawa because such is known in the art, as taught by the collective teachings, and one reading the reference as whole would have appreciated that the equipment 28 is not critical to the invention

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such that a robot hand would serve as an alternative for moving the attaching roller where only the expected results would have been achieved.

Regarding claim 15, Horai teaches moving the roller along the theta axis, which is perpendicular to a rolling axis of the attaching roller (Figure 1).

12. Claim 14 rejected under 35 U.S.C. 103(a) as being unpatentable over Asakura et al., Wreede, Cappa et al., the collective teachings of Umebayahsi et al. and Mikata et al., Ozawa et al., and Scholz et al. as applied to claim 1 above, and further in view of Selak et al. (US 5133396; of record), as set forth in paragraph 15 of the previous office action.

Regarding claim 14, Ozawa et al. is silent as to an elastic support portion. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a flexible, biasing spring into the attaching roller of Ozawa because such is known in the art, as taught by Selak (column 2, lines 65-67; column 3, lines 5-8), where the spring allows for pressure control during label application (column 3, lines 5-8).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jessica L. Rossi** whose telephone number is **703-305-5419**. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael W. Ball can be reached on 703-308-2058. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

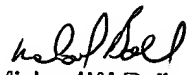
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

Jessica L. Rossi
Patent Examiner
Art Unit 1733



jl
July 18, 2003



Michael W. Ball
Supervisory Patent Examiner
Technology Center 1700